

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

VERNON KING, JR.	§	
VS.	§	CIVIL ACTION NO. 1:10cv36
BRAD LIVINGSTON	§	

MEMORANDUM ORDER OVERRULING OBJECTIONS AND ADOPTING
THE MAGISTRATE JUDGE’S REPORT AND RECOMMENDATION

Plaintiff Vernon King, Jr., an inmate confined at the Estelle Unit of the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se*, filed the above-styled civil rights lawsuit pursuant to 42 U.S.C. § 1983. The court referred this matter to the Honorable Keith F. Giblin, United States Magistrate Judge, for consideration pursuant to applicable orders of this court.

Plaintiff has filed a motion seeking a preliminary injunction (doc. no. 3, part 1). The magistrate judge has submitted a Report and Recommendation of United States Magistrate Judge concerning the motion. The magistrate judge recommends that the motion be denied as moot.

The court has received and considered the Report and Recommendation of United States Magistrate Judge, along with the records and pleadings. Plaintiff filed objections to the Report and Recommendation.

The court has conducted a *de novo* review of the objections. After careful consideration, the court is of the opinion the objections are without merit. The magistrate judge correctly concluded plaintiff’s transfer to a different correctional facility rendered his claim for injunctive relief moot. If plaintiff wishes to complain about the conditions of confinement at his new unit, he should do so by filing a new lawsuit in the appropriate federal judicial district.

ORDER

Accordingly, plaintiff’s objections are **OVERRULED**. The findings of fact and conclusions of law of the magistrate judge are correct and the report of the magistrate judge is

ADOPTED. Plaintiff's motion for preliminary injunction is **DENIED**.

So **ORDERED** and **SIGNED** this **28** day of **September, 2010**.

A handwritten signature in black ink, appearing to read "Ron Clark", written in a cursive style.

Ron Clark, United States District Judge